



Stephanie Rawlings-Blake
Mayor

PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

STAFF REPORT



Thomas J. Stosur
Director

November 18, 2010

REQUEST: Final Design Approval/Brewers Hill PUD – The Apartments at Brewers Hill II

RECOMMENDATION: The Department of Planning recommends approval, with the following requirements being incorporated into the Site Plan of the Brewers Hill PUD/The Apartments at Brewers Hill II – Final Design Approval:

1. That Eaton Street be identified as a potential future public street with a 60' wide public right-of-way (ROW);
2. That the ROW reserved for the potential future public street should be at least 60' wide, include two 11.5' travel lanes (one in each direction), two 8' wide parking lanes (One on each side of the street), sidewalks not less than 5' wide (on both sides of the street) and fully compliant with ADA requirements;
3. The applicant shall construct Eaton Street, between O'Donnell and the southern boundary of the PUD in accordance with Baltimore City standards and specifications for materials required for highways, bridges, utilities and incidental structures. Baltimore City will assume responsibility for constructing the portion of Eaton Street south of the Brewers Hill PUD boundary to Boston Street to complete the required connector;
4. No temporary or permanent changes to the design, traffic flow, parking regulations, etc. shall be permitted to the portion of Eaton Street within the bounds of this project except as approved by the Planning Commission, in consultation with the Director of the Department of Transportation.

STAFF: Robert Quilter

PETITIONER: The Hanover Company

OWNER: Gunther New Headquarters DE LLC

SITE/ GENERAL AREA

Site Conditions: This site is located within the Brewers Hill Planned Unit Development (PUD) which consists of the former Tulkoff Horseradish properties and the former Gunther and National Bohemian Breweries. They are mostly multi-story brick industrial buildings. The site known as 3607 O'Donnell Street is bounded generally by Dean Street on the west, O'Donnell on the north, extended Toone Street on the south and extended Eaton Street on the east. It is zoned B-2-2 and is just over 8 acres total. The southern portion of the site contains a former one story industrial facility. The rest of the site is currently used for parking or vacant.

General Area: The Brewer's Hill PUD properties are in the northwestern corner of the Canton Industrial Urban Renewal Area. To the east and south are parcels zoned M-3, for heavy industrial uses. To the south along Clinton Street are major port related facilities and the recently approved Canton Crossing PUD. To the north are other industrial uses. To the east are the O'Donnell Street Bridge, other industrial uses and I-95.

To the west of the site are the Brewer's Hill and Canton neighborhoods. The area consists primarily of two-story row homes, zoned R-8. Approximately five blocks to the north is the Highlandtown commercial area.

HISTORY

- Ordinance # 90-0637, approved June 20, 1990, established the Canton Industrial Urban Renewal Plan.
- Ordinance #00-0129, approved December 4, 2000, amended the Canton Industrial Urban Renewal Plan.
- Ordinance #00-0128, approved December 4, 2000, established the Brewer's Hill Planned Unit Development.
- July 17, 2003 Planning Commission Final Design Approval/ Brewer's Hill Planned Unit Development – The Natty Boh-Grain Building, Malt Mill & Barrel-Lager Building and Signage.
- March 24, 2005 Planning Commission Final Design Approval/ Brewer's Hill Planned Unit Development – Gunther Bottle Building.
- March 9, 2006 Planning Commission Revised Final Design Approval/ Brewer's Hill Planned Unit Development – Gunther Bottle Building - Bank Drive Through.
- May 4th, 2006 the Planning Commission Approved City Council Bill # 06-0371: Urban Renewal- Amendment to the Canton Industrial Area Renewal Plan.
- May 4th, 2006 the Planning Commission Approved City Council Bill #06-0372: Rezoning – Certain Properties in the Brewers Hill Area.
- Ordinance #06-0250, approved June 14, 2006, repealed and replaced the Brewer's Hill Planned Unit Development.
- Ordinance # 06-371, approved December 8, 2006, amended the allowable density for Area 6 of the Brewer's Hill Planned Unit Development.
- May 17, 2007 Planning Commission Final Design Approval/ Brewer's Hill Planned Unit Development – 1200 Conkling Street
- April 17, 2008 Planning Commission Minor Amendment/ Brewer's Hill Planned Unit Development – Revised Development Plan and Final Subdivision Plan/Former Norfolk Southern Railroad R-O-W Property- Within Brewer's Hill Planned Unit Development
- May 15, 2008 Planning Commission Final Subdivision and Development Plan/Brewers Hill PUD-3601 and 3710 O'Donnell Street and 1211 South Conkling Street
- October 23, 2008 Planning Commission Final Subdivision Plan/Brewers Hill PUD – Toone Street and Eaton Street Right of Way

CONFORMITY TO PLAN

This project is consistent with the Baltimore City Comprehensive Master Plan: LIVE Section, Goal 1, Objective 1: Expand Housing Choice for all Residents and Goal 1, Objective 5: Increase the City's Population by 10,000 Households in 6 years.

ANALYSIS

This Final Design Approval is for the Apartments at Brewers Hill II within the Brewers Hill PUD. Through a series of subdivision actions in 2008, the 5.563 acre site for Brewers Hill Apartments Phase II was created. It is bounded by O'Donnell, Dean, Toone and Eaton Streets. The southern portion of the site is currently improved by a warehouse building (former Tulkhoff Property). The latter two streets will be created as extensions of existing streets to the west and north respectively. These streets add another 2.514 acres of land to the development. On April 17, 2008, the Planning Commission also gave approval for a Minor Amendment to construct a four to five level mixed used project on this parcel. After a two year hiatus due to economic climate changes, the project is now on track for completion. The applicant has submitted for consideration the site plan, building elevations and landscape plan reflecting Forest Conservation requirements for the project and these make up the formal submittal to the Planning Commission for consideration of Final Design Approval.

In general the project consists of 493,000 square feet and will include 440 apartment dwelling units, 19,070 square feet of retail space fronting Toone Street, a clubhouse as accessory to the apartments and 650 structured parking spaces within a garage. The site will be divided into two buildings by a private mews street running between Dean and Eaton Streets. The parcel north of the mews will be four stories in height and feature a garage structure wrapped by residential units. The building south of the mews will be five stories (taking into consideration the grade change running north to south) and include apartments, the clubhouse and retail fronting Toone Street. Toone Street will be a private 70' wide right-of-way with ninety degree parking on the north side that fronts the retail of this project. Internal open air courtyards are located within each of the two buildings. The buildings will be connected above grade by pedestrian bridges at each end of the mews street.

The following is staff review of the applicant's submittal:

Site Plan – On October 28, 2010, the Site Plan Review Committee approved the final plan for this project. The garage component includes 650 parking spaces and there are an additional 94 spaces located on the three private roads. The total of 744 spaces exceeds the 708 spaces required by the PUD. The garage is accessed off Dean and Eaton Streets within the northern building and a service dock is located off Eaton Street within the southern building.

Building Elevations – The Urban Design and Architecture Review Panel gave final approval to this project on October 28, 2010. The elevations of this complex are somewhat industrially-inspired in design to complement the Brewers Hill area. The primary wall material is brick, in two tones with pre-cast accents features. Corner tower features are faced in stucco as is the penthouse level of the apartments. Facing the mews, the lower two levels are brick faced and the upper three are stucco faced. Windows for the retail will be metal and glass systems and vinyl

windows will be used for the residential units. Some units have guardrails with mesh infill to serve as small balconies.

Signage – A project identification sign will be located on the entrance canopy (on Toone Street). Retail signage will be channel letter type installed on the brick area above storefronts. Awnings over storefronts may include signage as well.

Forest Conservation Requirements – The landscape plan shows 159 trees being planted for this project, 151 of which are required. They are generally street trees, located curbside. Additional plantings are shown in planting strips adjacent to the building on all streets except Toone Street which is retail frontage.

Sustainability Requirements: Project architects have continued to aggressively incorporate sustainable practices transparently into their drawings, specifications and materials & furnishings so that even if the client chooses not to submit for USGBC certification at any level, sustainability will have been pushed to the greatest extent possible. However, the project must meet Baltimore City's new green building requirements.

PUD Compliance:

- Project Program - The program for 440 residential units, 19,070 s.f. of retail space and 744 parking spaces comply with the 2008 Minor Amendment approval for this site.
- TIS Requirements - The Original PUD legislation contained a tipping point of 1,085,000 square feet (and 85,000 square feet of commercial) in the development schedule to enact two conditions that must be met before Planning Commission approval may be granted for additional density and building square footage:
 - The completion of a comprehensive Traffic Impact Study (TIS) for Southeast Baltimore to be completed by the Baltimore City Department of Transportation or designee. This TIS has been completed.
 - The signing of a Memorandum of Understanding (MOU) between the developer and the City of Baltimore as represented by DOT. The Memorandum shall at a minimum outline the following: the necessary transportation improvements that must be implemented to mitigate for traffic impact related to the development, a plan for implementing Transportation Demand Management (TDM), and a development phasing plan that links the Planning Commission final design approval of certain phases of development to designated transportation infrastructure improvements. This condition appears to have been completed per an August 12, 2008 Traffic Mitigation Agreement approval by the Board of Estimates.

Eaton Street Requirements:

In February, 2008, the consultant Sabra, Wang & Associates, Inc. prepared the *Brewers Hill Planned Unit Development Traffic Impact Study* (TIS). This was aimed at traffic impacts resulting from two proposed Brewers Hill development projects including the Focus Project (located at 1211 South Conkling Street) and the Hanover Phase II project (previously addressed as 3701 O'Donnell Street, now through subdivisions is addressed as 3607 O'Donnell Street). In the recommendation section of the report it was suggested that either Dean Street or Thor's Way

(Eaton Street) be extended from Boston to O'Donnell Streets. The purpose was to divert traffic volumes from the O'Donnell/Conkling intersection. Additionally, the report suggested that right-of-way needed for the through street should be dedicated to the City.

As a result of the additional analysis by the Baltimore City Department of Transportation, it has been determined that the logical through public street should be Eaton Street. One of the major factors considered in selecting Eaton over Dean was based upon the future development potential of the eastern-most portion of the PUD. Although the current proposal for this property is a surface parking area, it is expected that future big-box or mixed use development will occur east of Eaton Street. This future development was not anticipated at the time of the 2008 TIS. Thus creating Eaton Street as a potential public through street helps with the traffic volumes from the proposed Focus and Hanover projects and the anticipated future development of the easternmost portion of the PUD.

Therefore, in order to ensure that Eaton Street can become a public street between Boston and O'Donnell Street, the Department of Planning recommends the following requirements be incorporated into the site plan of the Brewers Hill PUD/The Apartments at Brewers Hill II – Final Design Approval:

1. That Eaton Street be identified as a potential future public street with a 60' wide public right-of-way (ROW);
2. That the ROW reserved for the potential future public street should be at least 60' wide, include two 11.5' travel lanes (one in each direction), two 8' wide parking lanes (One on each side of the street), sidewalks not less than 5' wide (on both sides of the street) and fully compliant with ADA requirements;
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Based on the above described additional requirements, the Department of Planning recommends that all efforts on the applicant's part to construct Eaton Street to Baltimore City public street standards (right-of-way conveyance and road construction) should be counted as traffic mitigation measures. This means that developer costs associated with creating Eaton Street as a potential public street should be factored in when computing TIS mitigation obligations for the applicant.

Neighbors of Brewer's Hill, Brewer's Hill Community Association, Canton Community Association, Canton Highlandtown Community Association, Highlandtown Community Association, Southeast Community Development Corporation were notified of this action.

Thomas J. Stosur
Director